

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 2116 of 1994

and

FIRST APPEAL NO. 2121 OF 1994

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA and

MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgement?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

A'BAD MUNICIPAL CORPORATION

Versus

R K KOTHARI

Appearance:

MR MAULIN RAVAL for appellant

NOTICE NOT RECD BACK for Respondent No. 1

CORAM : MR.JUSTICE M.R.CALLA and

MR.JUSTICE R.P.DHOLAKIA

Date of decision: 13/04/99

COMMON ORAL JUDGEMENT (per M.R. Calla, J.)

These First Appeals under B.P.M.C. Act were admitted on 5th October 1994. The notices of these appeals have been returned with the endorsement dated 15th September 1995 that the respondent had died.

Despite this report and endorsement with regard to the service, the appellant has not taken any steps to bring the LRs of the deceased respondent on record in both these matters. The respondent in these matters is the same person who has been reported to have died. In this view of the matter, these appeals cannot survive and the same are hereby dismissed. No order as to costs.

sreeram.